

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

CONSENT FORM

~~Instructions to incarcerated appellant:~~

Complete this form, and submit to the Clerk of the United States Court of Appeals, 11th Circuit.

By completing this form, which incorporates provisions of the Prison Litigation Reform Act of 1995, 28 U.S.C. § 1915 (as amended), you are authorizing the Institution of your confinement ("the Institution") to pay the required \$505.00 appellate filing fee ("filing fee") from your prison account to the district court where your notice of appeal was filed.

CASE NAME: Mitchell Morbury v. DeWayne E. Davis

COURT OF APPEALS DKT NO.: 22-10916-A

DISTRICT COURT DKT NO.: 009205-CLV NOTICE OF APPEAL DATE: February, 2022

1. So that I may prosecute my appeal, I, Mitchell Morbury - Bay (name),

ID # 138024, authorize officials at the Institution to withdraw a first payment from my

account, that will be applied toward the filing fee. This first payment will be the **greater** of the following amounts:

- (1) 20% of the **average monthly deposits** to my account for the 6-month period immediately preceding the date I filed my notice of appeal in the district court; or
- (2) 20% of the **average monthly balance** in my account for that 6-month period.

Institution officials are authorized to pay to the clerk of the district court this first payment from funds in my account as soon as they become available.

2. I further authorize Institution officials to make additional monthly payments from my account until the balance of the \$505.00 is paid. These additional monthly payments will be equal to 20% of all of the preceding month's deposits to my account. Institution officials shall make monthly payments for me by deducting from my account all monies on deposit in excess of \$10.00 until the full filing fee is paid.

3. If, before I have paid the \$505.00 filing fee, the Court disposes of my appeal – by dismissing the appeal for lack of jurisdiction, for want of prosecution, or because it is frivolous, or by deciding the appeal on the merits – I authorize the Institution to continue making monthly payments to the district court until the full amount of the filing fee is paid. This means that, regardless of the Court's disposition of my appeal, **I MUST STILL PAY THE ENTIRE \$505.00 FILING FEE.**

4. Additionally, the Court may enter a **JUDGMENT AGAINST ME FOR PAYMENT OF COSTS** at the conclusion of the appeal, including any unpaid portion of the required \$505.00 filing fee. If the Court does so, I also authorize prison officials or custodial agents to pay from my prison account to the district court **THE FULL AMOUNT OF THE COSTS ORDERED**, using the installment payment plan explained above.

5. If I am transferred to another prison or custodial agency, I hereby consent that this authorization will continue to apply, and the new prison or custodial agency shall assume the duties of collecting and forwarding any remaining monthly payments to the district court.

April 14, 2022
Date

M. Morbury
Signature of Appellant



U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT
CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT (CIP)

Mitchell Morbury vs. Erter DeWayne Appeal No. 22-10916-A
11th Cir. R. 26.1-1(a) requires the appellant or petitioner to file a Certificate of Interested Persons and Corporate Disclosure Statement (CIP) with this court within 14 days after the date the case or appeal is docketed in this court, and to include a CIP within every motion, petition, brief, answer, response, and reply filed. Also, all appellees, intervenors, respondents, and all other parties to the case or appeal must file a CIP within 28 days after the date the case or appeal is docketed in this court. **You may use this form to fulfill these requirements.** In alphabetical order, with one name per line, please list all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party.

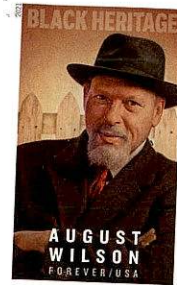
(please type or print legibly):

Benjamin Albritton; Counsel for Appellant
Cedric Speaks; Defendant-Appellee
Carlo Gorkam; Defendant-Appellee
DeWayne Erter; Defendant-Appellee
John A. England; United States Magistrate Judge
Lynwood Smith; United States District Court Judge
Mitchell Morbury-Boy; Appellant
Steve Marshall; Attorney General for Appellee

Mr. Mitchell Morbury
ADV#138014-M25-2A
1000 St. Clair Rd
Springville, AL 35146

BIRMINGHAM AL 350

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"This correspondence is forwarded from an Alabama State Prison. The contents have not been evaluated, and the ADOC is not responsible for the substance or content of the enclosed communication."

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Date Filed: 04/20/2022

USCA11 Case: 22-10916

662522-60606

United States District Court
Northern District of Georgia
Office of The Clerk
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

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